

**Fill in this information to identify the case:**Debtor 1 Darlene H McGilvrayDebtor 2  
(Spouse, if filing)United States Bankruptcy Court for the: Middle District of TennesseeCase number 1:11-bk-09285-KML**Official Form 410S1****Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

**Name of creditor:** Ventures Trust 2013-I-NH**Court claim no.** (if known): 16**Last four digits** of any number you 9691  
use to identify the debtor's account:**Date of payment change:** 03/01/2016Must be at least 21 days after date of  
this notice**New total payment:** \$1,410.84  
Principal, interest, and escrow, if any**Part 1: Escrow Account Payment Adjustment****Will there be a change in the debtor's escrow account payment?**

- ☐ No
- ☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

**Current escrow payment:** \$ 254.13      **New escrow payment:** \$ 187.12**Part 2: Mortgage Payment Adjustment****Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?**

- ☒ No
- ☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

**Current interest rate:** \_\_\_\_\_%      **New interest rate:** \_\_\_\_\_%**Current principal and interest payment:** \$ \_\_\_\_ **New principal and interest payment:** \$ \_\_\_\_**Part 3: Other Payment Change****Will there be a change in the debtor's mortgage payment for a reason not listed above?**

- ☒ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

**Current mortgage payment:** \$ \_\_\_\_ **New mortgage payment:** \$ \_\_\_\_

Debtor1 Darlene H McGilvray Case number (if known) 1:11-bk-09285-KML  
First Name Middle Name Last Name

#### Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

**x** /s/ Jeremiah McGuire  
Signature

Date 02/09/2016

**Print:** Jeremiah McGuire Title Attorney  
First Name Middle Name Last Name

Company Brock & Scott, PLLC

Address 5121 Parkway Plaza Blvd.  
Number Street

Charlotte, NC 28217  
City State ZIP Code

Contact phone (704) 369 - 0676

Email [bankruptcy@brockandscott.com](mailto:bankruptcy@brockandscott.com)

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE  
COLUMBIA DIVISION

**IN RE:**  
**DARLENE H MCGILVRAY**  
**DEBTOR**

**CASE NO. 1:11-bk-09285-KML**  
**CHAPTER 13**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies under penalty of perjury that he/she is over eighteen (18) years of age and that the Proof of Claim Supplement in the above captioned case were this day served upon the below named persons by electronic service or by mailing, postage prepaid, first class mail a copy of such instrument to each person(s), parties, and/or counsel at the addresses shown below:

Darlene H McGilvray  
9178 Christopher Ashley Drive  
Lyles, TN 37098

Bryan Clark Penland  
13 Public Square  
Columbia, TN 38401

Henry Edward Hildebrand, III  
PO Box 340019  
Nashville, TN 37203-0019

This the 9th day of February, 2016.

/s/ Jeremiah McGuire  
Jeremiah McGuire  
Brock & Scott, PLLC  
5121 Parkway Plaza Blvd., Suite 300  
Charlotte, NC 28217  
Ph: (704) 369-0676  
Fax: (704) 369-0760  
[bankruptcy@brockandscott.com](mailto:bankruptcy@brockandscott.com)

DATE: 01/26/16

DARLENE MCGILVRAY  
9178 CHRISTOPHER ASHLEY RD  
LYLES, TN 37098

PROPERTY ADDRESS  
9178 CHRISTOPHER ASHLEY R  
LYLES, TN 37098

PLEASE REVIEW THIS STATEMENT CLOSELY - YOUR MORTGAGE PAYMENT MAY BE AFFECTED. THIS STATEMENT TELLS YOU OF ANY CHANGES IN YOUR MORTGAGE PAYMENT, ANY SURPLUS REFUNDS, OR ANY SHORTAGE YOU MUST PAY. IT ALSO SHOWS YOU THE ANTICIPATED ESCROW ACTIVITY FOR YOUR ESCROW CYCLE BEGINNING 03/01/2016 THROUGH 02/28/2017.

**----- ANTICIPATED PAYMENTS FROM ESCROW 03/01/2016 TO 02/28/2017 -----**

HOMEOWNERS INS	\$1,309.51
COUNTY TAX	\$936.00
TOTAL PAYMENTS FROM ESCROW	\$2,245.51
MONTHLY PAYMENT TO ESCROW	\$187.12

**----- ANTICIPATED ESCROW ACTIVITY 03/01/2016 TO 02/28/2017 -----**

ANTICIPATED PAYMENTS				ESCROW BALANCE COMPARISON	
MONTH	TO ESCROW	FROM ESCROW	DESCRIPTION	ANTICIPATED	REQUIRED
			STARTING BALANCE -->	\$2,146.03	\$374.31
MAR	\$187.12			\$2,333.15	\$561.43
APR	\$187.12			\$2,520.27	\$748.55
MAY	\$187.12			\$2,707.39	\$935.67
JUN	\$187.12			\$2,894.51	\$1,122.79
JUL	\$187.12			\$3,081.63	\$1,309.91
AUG	\$187.12			\$3,268.75	\$1,497.03
SEP	\$187.12			\$3,455.87	\$1,684.15
OCT	\$187.12			\$3,642.99	\$1,871.27
NOV	\$187.12			\$3,830.11	\$2,058.39
DEC	\$187.12			\$4,017.23	\$2,245.51
JAN	\$187.12			\$4,204.35	\$2,432.63
FEB	\$187.12	\$1,309.51	HOMEOWNERS INS	\$3,081.96	\$1,310.24
		\$936.00	COUNTY TAX	L1-> \$2,145.96	L2-> \$374.24

**----- DETERMINING THE SUFFICIENCY OF YOUR ESCROW BALANCE -----**

IF THE ANTICIPATED LOW POINT BALANCE (L1) IS GREATER THAN THE REQUIRED BALANCE (L2), THEN YOU HAVE AN ESCROW SURPLUS. **YOUR ESCROW SURPLUS IS \$1,771.72.**

**CALCULATION OF YOUR NEW PAYMENT**

PRIN & INTEREST	\$1,223.72
ESCROW PAYMENT	\$187.12
<b>NEW PAYMENT EFFECTIVE 03/01/2016</b>	<b>\$1,410.84</b>

YOUR ESCROW CUSHION FOR THIS CYCLE IS \$374.24.

\*\*\*\*\* Continued on reverse side \*\*\*\*\*



TRANSFERRED DURING THIS PRIOR CYCLE, OR THE COMPUTATION YEAR IS BEGING CHANGED, ACTUAL ACTIVITY STOPS AT THAT POINT. THIS STATEMENT IS INFORMATION ONLY AND REQUIRES NO ACTION ON YOUR PART.

YOUR PAYMENT BREAKDOWN AS OF 03/01/2015 IS:

PRIN & INTEREST	\$1,223.72
ESCROW PAYMENT	\$254.13
BORROWER PAYMENT	\$1,477.85

PAYMENTS TO ESCROW			PAYMENTS FROM ESCROW		ESCROW BALANCE		
MONTH	PRIOR PROJECTED	ACTUAL	PRIOR PROJECTED	ACTUAL	DESCRIPTION	PRIOR PROJECTED	ACTUAL
					STARTING BALANCE	\$2,113.60	\$1,396.06-
MAR	\$254.13	\$579.84 *				\$2,367.73	A-> \$816.22-
APR	\$254.13	\$289.92 *	\$2,113.60		HOMEOWNERS INS T->	\$508.26	\$526.30-
MAY	\$254.13	\$579.84 *				\$762.39	\$53.54
JUN	\$254.13	\$0.00 *				\$1,016.52	\$53.54
JUL	\$254.13	\$254.13				\$1,270.65	\$307.67
AUG	\$254.13	\$254.13				\$1,524.78	\$561.80
SEP	\$254.13	\$254.13				\$1,778.91	\$815.93
OCT	\$254.13	\$0.00 *				\$2,033.04	\$815.93
NOV	\$254.13	\$508.26 *				\$2,287.17	\$1,324.19
DEC	\$254.13	\$762.39 *		\$936.00 *	COUNTY TAX	\$2,541.30	\$1,150.58
JAN	\$254.13	\$254.13				\$2,795.43	\$1,404.71
FEB	\$254.13	\$0.00	\$936.00		COUNTY TAX	\$2,113.56	\$1,404.71
	<u>\$3,049.56</u>	<u>\$3,736.77</u>	<u>\$3,049.60</u>	<u>\$936.00</u>			

UNDER FEDERAL LAW, WHEN YOUR ACTUAL ESCROW BALANCE REACHED THE LOWEST POINT, THAT BALANCE WAS TARGETED NOT TO EXCEED 1/6TH OF THE ANNUAL PROJECTED DISBURSEMENTS. YOUR LOAN DOCUMENTS OR STATE LAW MAY SPECIFY THAT YOUR LOWEST BALANCE MUST BE A LOWER AMOUNT THAN THE FEDERAL LAW ALLOWS.

UNDER YOUR MORTGAGE CONTRACT OR STATE OR FEDERAL LAW, YOUR TARGETED LOW POINT BALANCE (T) WAS \$508.26. YOUR ACTUAL LOW POINT ESCROW BALANCE (A) WAS \$816.22-.

BY COMPARING THE ANTICIPATED ESCROW TRANSACTIONS WITH THE ACTUAL TRANSACTIONS YOU CAN DETERMINE WHERE A DIFFERENCE MAY HAVE OCCURRED. AN ASTERISK (\*) INDICATES A DIFFERENCE IN EITHER THE AMOUNT OR DATE OF THE PROJECTED ACTIVITY THAT HAS NOT YET OCCURRED DUE TO THE DATE OF THIS STATEMENT.

IF THERE ARE NO PRIOR PAYMENTS TO OR FROM ESCROW SHOWN, THERE WAS NO PRIOR PROJECTION TO WHICH THE ACTUAL ACTIVITY COULD BE COMPARED.

## Determining your Shortage or Surplus

### Shortage:

Any shortage in your escrow account is usually caused by one the following items:

- An increase, if any, in what was paid for insurance and/or taxes from your escrow account.
- A projected increase in taxes for the upcoming year.
- The number of months elapsed from the time of these disbursements to the new payment effective date.

Shortages are divided evenly of the next twelve months. To reduce the increase in your monthly payment, the shortage can be paid either partially or in full.

### Surplus:

A surplus in your escrow account is usually caused by one the following items:

- The insurance/taxes paid during the past year were lower than projected.
- A refund was received from the taxing authority or insurance carrier.
- Additional funds were applied to your escrow account.

If your surplus is \$50.00 or greater and your loan was contractually current at the time when the analysis was run or calculated, a check will be sent to you. If your surplus is less than \$50.00, the funds will be retained in your escrow account.